

Serial No. : 10/605,887
Applicants : Rodney K. Blank et al.
: Response Filed 8/02/05
Page : 8

REMARKS

This is in response to the Office Action mailed March 17, 2005. Enclosed is a petition to extend the response due date to August 17, 2005. Please charge the extension fee due to Deposit Account No. 22-0190. Reconsideration is requested.

Oath/Declaration.

The Office Action objected to the oath/declaration purportedly on the basis that it did not include a notary signature. Also, the Office Action stated that a substitute oath/declaration must be filed within a three-month shortened statutory period set for reply in the "Notice of Allowability." After reviewing the application, it is believed that the Examiner intended to object to the oath/declaration as being unsigned. Apparently, the Patent Office Applications Branch failed to detect that the application was filed with an unsigned oath/declaration and failed to send out a Notice of Missing Parts. Enclosed herewith is a fully executed Declaration and Power of Attorney. Because this is being sent as part of a normal reply to a non-final action, and not after issuance of a "Notice of Allowability," there is no three-month shortened statutory period that is applicable. Accordingly, withdrawal of the objection to the oath/declaration and acceptance of the substituted oath/declaration is respectfully requested.

Claim Rejections – 35 U.S.C. § 102.

Claims 1-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by commonly assigned United States Patent No. 5,871,275 issued to O'Farrell et al. The rejection is respectfully traversed. O'Farrell et al. does not disclose, teach or suggest a vehicular rearview mirror system having a controller that determines a protocol of an output of a vehicle control, such as a reverse-gear indication. Accordingly, it is submitted that O'Farrell et al. does not meet every claim element. For that reason alone, anticipation is avoided. In order to more fully distinguish over the prior art, including O'Farrell et al., the claims at issue have been amended to specify that the control determines the protocol at least in part by maintaining a running parameter. The amended claims are submitted to be even

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: Response Filed 8/02/05
Page : 9

further distinguishable over the prior art. It is submitted that the rejection under 35 U.S.C. § 102 has been overcome. Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter.

Claims 26-31 were objected to as being dependent upon a rejected base claim, but are indicated as being allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 26 has been rewritten in this manner. Claims 27-31 are dependent upon claim 26 as a base claim. Accordingly, claims 26-31 are allowable.

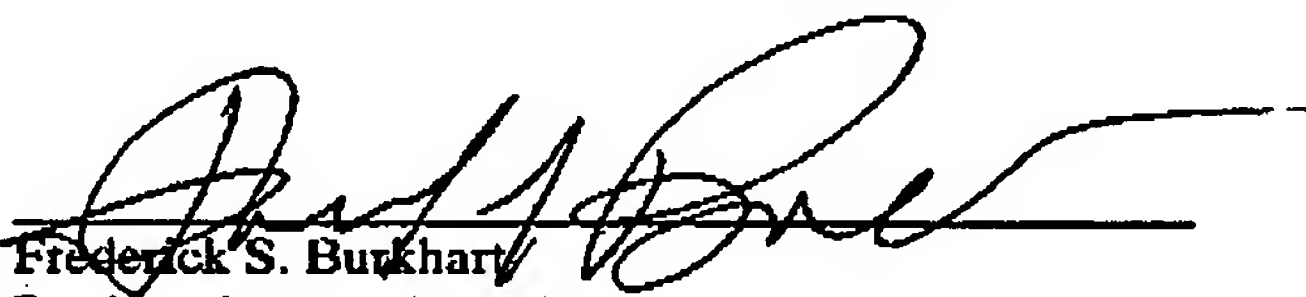
The application should be in a condition for allowance. A notice to that effect is earnestly requested. If Examiner Trieu has any questions or reservations, it is requested that Examiner Trieu call the undersigned attorney.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

Dated: August 2, 2005.


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